

JOHN McDONOGH.

DECEMBER 20, 1831.

Mr. CAVE JOHNSON, from the Committee on Private Land Claims, made the following

REPORT:

The Committee on Private Land Claims, to which was referred the claim of John McDonogh, report:

That John McDonogh claims four tracts of land in the district west of Pearl river, in Louisiana, which are embraced in the report of the Register and Receiver of the land office at St. Helena court-house, dated the 4th of December, 1830, and which accompanies this report.

The committee are of opinion that the claimant is entitled to the four tracts of land therein specified, and report a bill for his relief.

JANUARY 4, 1831.—*Letter from the Commissioner of the General Land Office, transmitting a report of the Register and Receiver of the St. Helena land district upon certain claims to land therein mentioned.*

GENERAL LAND OFFICE,

January 3, 1831.

SIR: Under the provisions of the act of Congress, approved on the 26th of May, 1830, entitled "An act to authorize the Register and Receiver of the St. Helena land district, in Louisiana, to receive evidence, and report upon certain claims to land therein mentioned," I have the honor to transmit herewith a copy of a letter from those officers, covering the report required by that act, together with copies of the papers therein referred to.

With great respect,

Your obedient servant,

ELIJAH HAYWARD.

The Honorable ANDREW STEVENSON,
Speaker of the House of Representatives.

LAND OFFICE, ST. HELENA,

November 30, 1830.

DEAR SIR: With this you will receive our report and opinion respecting the validity of two claims to lands in this district, owned by John McDonogh, which report is in conformity to an act of the last Congress, approved 28th May, 1830. By reference to the report, it will be seen that the grants for these claims were issued by Governor Miro, as early as the year 1787. We have examined the regular transfers or chain of title from the original claimants down to the present (John McDonogh,) and find them complete; and are of opinion that these claims are valid, and ought to be recognised as such by the Government of the United States.

We regret that it has not been in our power to furnish this report at the commencement of the present session of Congress, but the delay has been in consequence of the neglect of the claimant, and not us, as will appear by reference to his, and the letter from the Register of the eastern district at New Orleans; the latter having only furnished *abstracts* in the first instance, instead of sending the regular certified copies of the patents at full length. As our delay has been solely with a view to the ends of justice, we hope we shall find sufficient apology by forwarding the enclosed letters.

With high regard, &c. &c.,

THOMAS GREEN DAVIDSON, *Register.*

A. G. PENN, *Receiver.*

HON. ELIJAH HAYWARD,

Commissioner, &c.

REGISTER of claims to lands in the district west of Pearl river in Louisiana, said to be derived from Spanish authorities, which, in the opinion of the undersigned Register and Receiver, are valid, agreeably to the laws, usages, and customs of said Government.

No.	Present claimant.	Original claimant.	Nature of claim.	Date of claim.	Quantity claimed.				Where situated.	By whom granted.	When surveyed.		By whom surveyed.	Inhabitation.	
					Front.	Depth.	Area in arpents.	Area in acres.			Day and month.	Year.		From.	To.
1*	John McDonogh	David Williams	Spanish patent	8th April, 1789	-	-	400	-	East B. Rouge	E. Miro	-	-	C. Trudeau	1790	
2*	John McDonogh	Guillermo Williams	do do	8th April, 1789	-	-	240	-	do do	do	-	-	do	1790	
3*	John McDonogh	William Estevan	do do	18th Dec. 1787	9 arp.	26 40	388	-	do do	do	-	-	do	1790	
4†	John McDonogh	Domingo Assaretto	do do	18th Feb. 1788	30 arp.	40	1200	-	do do	do	-	-	do		

The above is a register of claims made in conformity with an act of last Congress of the United States, approved the 28th day of May, A. D. 1830. In regard to the foregoing claims, the undersigned commissioners beg leave to remark that they have examined all the title papers of each, and find the regular chain of title complete from the original claimant down to the present (John McDonogh;) and from the evidence before us it appears that the three first patents were issued as early as the year 1787, by Governor Miro, and that they were occupied as early as 1790. The precise nature of the inhabitation and cultivation has not been proved to us.

The fourth claim, in the name of Domingo Assaretto as original claimant, seems to be a complete patent from Gov. Miro for 1200 arpents, issued the 18th February, 1788, without the additional proof of occupancy, except the remark in the grant "that the possession has been given and is recognised." The undersigned further remark, that, although the grants for all of these claims refer to the surveys, and to the fact of their having been made, yet the date of the time when they were surveyed is not mentioned in the grants. How far this ought to effect their validity, we leave to the consideration of Congress, by subjoining the following remarks: that many claims in this office appear to have been reported upon similar facts, which have been confirmed and recognized by the proper authorities as valid.

LAND OFFICE, ST. HELENA COURT-HOUSE,
Louisiana, December 4, A. D. 1830.

THOMAS GREEN DAVIDSON, *Register.*
ANDREW GORDON PENN, *Receiver.*

* Certified copies from the Register of the Eastern District, dated 8th November, A. D. 1830.

† Sold in 1814 for taxes.

LAND OFFICE, NEW ORLEANS, 8th Nov. 1830.

GENTLEMEN: Some time after I made out the copies of the patents in the names of Wm. Stephen, Carpenter, D. Assaretto, and Wm. and D. Williams, for Mr. McDonogh, I discovered that it had been the invariable custom of the office to fill out the copies of such of the patents which had been abbreviated or curtailed in the registry, from the one recorded at length in the beginning of each book, and which served as a formula or exemplar. This will account for the difference between the copies of the above patents now furnished, and those furnished in August last.

I remain, gentlemen,

Very respectfully,

Your ob't servant,

HILARY B. CENAS, *Register.*

To the REGISTER and RECEIVER

of the Land Office, St. Helena.

NEW ORLEANS, Tuesday, Nov. 16, 1830.

GENTLEMEN: I yesterday put in the post office a packet directed to Mr. Davidson, containing a duplicate of mine to him of the 4th inst. with the four patents in question copied out in full; and I took therefrom his letter to me of the 8th inst. On seeing Mr. McCaleb an hour after having put said packet in the post office, he handed me your favor of the 13th inst. the contents of which I note, and was happy to find you had received mine of the 4th inst. On the patents reaching you, I doubt not all will be found satisfactory. As you observe, the plats of survey sometimes accompanied the patents, at other times they did not: they were not recorded in the book of patents. When at your office, I pointed out to you on the township plats, the situation of those tracts; they are put down there as public lands, (no private claims being on them, as every one knew they were owned by complete title.) Mr. Brown, the P. D. Surveyor at Baton Rouge, promised me to forward you the plats of them. Whether your report is made, gentlemen, a few weeks sooner or later, is of no consequence: the object is to do justice, and I know you too well to believe you would make one against me, where you were convinced my title was a good one. Therefore, should my patents, from any accident, not reach you, I will beg the favor of one of you to cross over here, (as I will with pleasure and gratitude pay your expenses coming and going,) as two minutes passed by you in the land office here will satisfy you on every point.

Excuse the haste with which I address you, and believe me to be, with great respect,

Gentlemen, your ob't and

Very humble servant,

JOHN McDONOGH.

Messrs. T. G. DAVIDSON and A. G. PENN, Esqs.

Montpelier, St. Helena.